

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC.,
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

THIS DOCUMENT RELATES TO THE CIVIL ACTION NOS. LISTED ON THE ATTACHED EXHIBITS:

**JOINT MOTION TO DISMISS DEFENDANT
AMERICAN MEDICAL SYSTEMS, INC. WITH PREJUDICE**

Plaintiffs in the cases listed on the attached Exhibits A-R and defendant American Medical Systems, Inc. (“AMS”) advise the Court that they have compromised and settled all claims between them in these actions, including all counterclaims, cross-claims and third party claims. Accordingly, Plaintiffs and AMS jointly move the court to dismiss AMS as a defendant in these actions with prejudice, and terminate AMS from the docket in the actions, parties to bear their own costs. Other defendants remain in these actions, and plaintiffs will continue to pursue these actions against them.

Respectfully:

/s/ Barbara Binis

Barbara Binis
REED SMITH
Three Logan Square, Suite 3100
1717 Arch Street
Philadelphia, PA 19103
215.851.8100 (phone)
215.851.1420 (fax)
bbinis@reedsmith.com

/s/ Erik W. Legg

Erik W. Legg (WVSB 7738)
FARRELL, WHITE & LEGG PLLC
P.O. Box 6457
Huntington, WV 25772-6457
304.522.9100 (phone)
304.522.9162 (fax)
ewl@farrell3.com

Attorneys for Defendant American Medical Systems, Inc.

/s/ Aimee H. Wagstaff
Aimee H. Wagstaff
ANDRUS WAGSTAFF
7171 West Alaska Drive
Lakewood, CO 80226
303.376.6360 (phone)
303.376.6361 (fax)
Aimee.Wagstaff@ahw-law.com
Attorney for Plaintiffs on Exhibit A

/s/ Laura J. Baughman
Laura J. Baughman
BARON & BUDD
Suite 1100
3102 Oak Lawn Avenue
Dallas, TX 75219-4281
214.521.3605 (phone)
214.520.1181 (fax)
lbaughman@baronbudd.com
Attorney for Plaintiffs on Exhibit B

/s/ Harry F. Bell, Jr.
Harry F. Bell, Jr.
THE BELL LAW FIRM
P. O. Box 1723
Charleston, WV 25326
304.345.1700 (phone)
304.345.1715 (fax)
hfbell@belllaw.com
Attorney for Plaintiffs on Exhibit C

/s/ William J. Doyle, II
William J. Doyle, II
DOYLE LOWTHER
Suite 275
4400 NE 77th Avenue
Vancouver, WA 98662
360.818.9320 (phone)
360.818.9320 (fax)
bill@doylelowther.com
Attorney for Plaintiffs on Exhibit D

/s/ Robert J. Fenstersheib
Robert J. Fenstersheib
ROBERT J. FENSTERSHEIB &
ASSOCIATES
520 West Hallandale Beach Boulevard
Hallandale, FL 33009
954.456.2488 (phone)
954.212.2980 (fax)
rjf@fenstersheib.com
Attorney for Plaintiffs on Exhibit E

/s/ Charles W. Miller
Charles W. Miller
HEYGOOD ORR & PEARSON
Second Floor
2331 West Northwest Highway
Dallas, TX 75220
214/237-9001 (phone)
214/237-9002 (fax)
charles@hop-law.com
Attorney for Plaintiff s on Exhibit F

/s/ Robert K. Jenner
Robert K. Jenner
JANET JENNER & SUGGS
Suite 165
1777 Reisterstown Road
Baltimore, MD 21208
410.653.3200 (phone)
410.653.6903 (fax)
rjenner@myadvocates.com
Attorney for Plaintiffs on Exhibit G

/s/ Lisa Ann Gorshe
Lisa Ann Gorshe
JOHNSON BECKER
Suite 4530
33 South Sixth Street
Minneapolis, MN 55402
612.436.1800 (phone)
612/436-1801 (fax)
lgorshe@johnsonbecker.com
Attorney for Plaintiffs on Exhibit H

/s/ J. Mark Kell

J. Mark Kell
KELL LAMPIN
Suite A
5770 Mexico Road
St. Peters, MO 63376-2264
636/498-4878 (phone)
636/441-0198 (fax)
mark.kell@KellLampinLaw.com
Attorney for Plaintiff on Exhibit I

/s/ David Kuttles

David Kuttles
THE LANIER LAW FIRM
Sixth Floor
126 East 56th Street
New York, NY 10022
212.421.2800 (phone)
212.421.2878 (fax)
DXK@lanierlawfirm.com
Attorney for Plaintiff on Exhibit J

/s/ Donald A. Migliori

Donald A. Migliori
MOTLEY RICE
Suite 200
321 South Main Street
Providence, RI 02903
401.457.7700 (phone)
401.457.7708 (fax)
dmigliori@motleyrice.com
Attorney for Plaintiffs on Exhibit K

/s/ James G. Onder

James G. Onder
ONDER SHELTON O'LEARY &
PETERSON
2nd Floor
110 East Lockwood
St. Louis, MO 63119
314.963.9000 (phone)
314.963.1700 (fax)
onder@onderlaw.com
Attorney for Plaintiffs on Exhibit L

/s/ Jerrold S. Parker

Jerrold S. Parker
PARKER WAICHMAN
6 Harbor Park Drive
Port Washington, NY 11050
516.466.6500 (phone)
516.466.6665 (fax)
jerry@yourlawyer.com
Attorney for Plaintiff on Exhibit M

/s/ Sarah J. Showard

Sarah J. Showard
SHOWARD LAW FIRM
Suite 253
4703 East Camp Lowell Drive
Tucson, AZ 85712
520.622.3344 (phone)
520.881.9260 (fax)
sjshoward@showardlaw.com
Attorney for Plaintiff on Exhibit N

/s/ Jayne Conroy

Jayne Conroy
SIMMONS HANLY CONROY
112 Madison Avenue
New York, NY 10016-7416
212.784.6400 (phone)
212.213.5949 (fax)
jconroy@simmonsfirm.com
Attorney for Plaintiff on Exhibit O

/s/ Leslie C. MacLean

Leslie C. MacLean
WATERS & KRAUS
3219 McKinney Avenue
Dallas, TX 75204
214.357.6244 (phone)
214.357.7252 (fax)
lmaclean@waterskraus.com
Attorney for Plaintiffs on Exhibit P

/s/ Edward A. Wallace

Edward A. Wallace
WEXLER WALLACE
Suite 3300
55 West Monroe Street
Chicago, IL 60603
312.346.2222 (phone)
312.346.0022 (fax)
eaw@wexlerwallace.com
Attorney for Plaintiffs on Exhibit Q

/s/ Kimberly R. Wilson

Kimberly R. Wilson
WILSON LAW
P. O. Box 10389
Raleigh, NC 27605
919.890.0180 (phone)
919.882.1758 (fax)
kim@wilsonlawpa.comA
Attorney for Plaintiffs on Exhibit R

Dated: March 13, 2017

EXHIBIT A – ANDRUS WAGSTAFF

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:12-CV-03978	Sandy Harris v. Johnson & Johnson, Ethicon, Inc., American Medical Systems, Inc.
2:13-CV-05663	MaryAnn Harris v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.
2:14-CV-02399	Judy Wright, Mike Wright v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.
2:14-CV-02791	Rosemary Munger, George Robert Munger v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.
2:14-CV-14431	Janice Michalski v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.
2:14-CV-18090	Linda Sembler v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

EXHIBIT B – BARON & BUDD

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:15-CV-01799	Caren Hughes, Derek Hughes v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

EXHIBIT C – BELL LAW

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:13-CV-11923	Janice Carl v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc., Boston Scientific Corporation

EXHIBIT D – DOYLE LOWTHER

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:12-CV-05323	Maria Jamison v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

EXHIBIT E – ROBERT J. FENSTERSHEIB & ASSOCIATES

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:13-CV07367	Mary Jane Haskell vs. Ethicon Inc., Johnson & Johnson, American Medical Systems, Inc.
2:13-CV-22852	Lisa Branson v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.
2:13-CV-24951	Elizabeth Preuc v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

EXHIBIT F – HEYGOOD, ORR & PEARSON

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:14-CV-19615	Jamie Barry, Darren Barry v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

EXHIBIT G – JANET, JENNER & SUGGS

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:12-CV-05186	Eleanor L. Thompson v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

EXHIBIT H – JOHNSON BECKER

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:14-CV-19456	Mary Woods, John Woods v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

EXHIBIT I – KELL LAMPIN

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:14-CV-17055	Jean Pierce v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

EXHIBIT J – LANIER

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:12-CV-05344	Helen Williamson, Clifton G. Williamson v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.
2:13-CV-05010	Lorrie Kayann Quiroga, Jesus N. Quiroga v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.
2:13-CV-12159	Christine M. Escalderon v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

EXHIBIT K – MOTLEY RICE

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:12-CV-02487	Doris Nichols, James Nichols v. Johnson & Johnson, Ethicon, Inc., American Medical Systems, Inc., C. R. Bard, Inc., Tissue Science Laboratories Limited
2:12-CV-03210	Mary Kneale v. Johnson & Johnson, Ethicon, Inc., American Medical Systems, Inc.
2:13-CV-26046	Ruth Langham v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

EXHIBIT L – ONDER SHELTON O’LEARY & PETERSON

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:13-CV-15217	Mary Ann Ivankovich, Danny Ivankovich v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

EXHIBIT M – PARKER WAICHMAN

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:12-CV-03132	Karen M. Marski and Christopher Marski v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

EXHIBIT N – SHOWARD LAW FIRM

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:13-CV-32330	Joan R. Braun, Warren Braun v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.
2:14-CV-03875	Diane Michelle Bailey v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.
2:14-CV-26078	Barbara J. Iselin v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc

EXHIBIT O – SIMMONS HANLY CONROY

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:13-CV-01743	Ginger Wood, Neal Wood v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.
2:13-CV-23629	Shirley Payne v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

EXHIBIT P – WATERS & KRAUS

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:13-CV-25418	Delia M. Lopez, Guadalupe Venegas v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

EXHIBIT Q – WEXLER WALLACE

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:13-CV-22169	Shirley Wysocki, Eugene Wysocki v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

EXHIBIT R – WILSON LAW

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:12-CV-04585	Gail D. Van Etten and Dale Van Etten v. Ethicon, Inc., Johnson & Johnson, and American Medical Systems, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on March 13, 2017, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in these member cases.

/s/ Barbara R. Binis

Barbara R. Binis